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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/266,675

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RANDY S. KIMMERLY

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09/01/2006

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EXAMINER

LY, ANH

ART UNIT

PAPER NUMBER

2162

DATE MAILED: 09/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/266,675

Applicant(s)

KIMMERLY, RANDY S.

Examiner

Anh Ly

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office action is response to Applicant's RESPONSE filed on 06/19/2006.
2. Claims 1-24 are pending in this application.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 5-6, 8-18, and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patent No.: US 6,243,856 B1 issued to Meyer et al. (hereinafter Meyer) in view of Patent No.: US 6,738,975 B1 issued to Yee et al. (hereinafter Yee).

With respect to claim 1, Meyer a method of locating classes in a class path (the package name or class library stored in a searchable/retrievable class path directory and this class path as tree structure including a plurality of node storing each class file: fig. 16, col. 11, lines 50-67, col. 23, lines 15-30 and col. 27, lines 8-38), the method comprising:

generating a cache of information relating to the classes in the class path (using the package name or class files to create a full path files in the class path and stored it in a cache: col. 11, lines 50-67; also see col. 15, lines 65-67 and col. 16, lines 1-12);

requesting a search of the class path and searching the cache to satisfy the requested search (searching the class path: col. 23, lines 15-30, col. 27, lines 8-38 and lines 55-67 and col. 28, lines 1-10).

Meyer teaches a method of searching/locating/retrieving class files in a class path stored in a cache. Also, Meyer teaches using GUI as a interface or a wrapper for retrieving or searching class file in the class path. Meyer does not clearly teach creating a wrapper for selected elements and a level of indirection from application programming interfaces used by a class locator, the wrapper indirection level providing for different caches to be used for the selected elements.

However, Yee teaches creating an interface as well as wrapper for the system to retrieving/searching the object (fig. 1(b) and col. 14, lines 46-58 and using a native API for interface mechanism of the system: col. 16, lines 54-67 and col. 17, lines 1-22).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Meyer with the teachings of Yee. One having ordinary skill in the art would have found it motivated to utilize the use of wrapper generation for looking/locating the class in the class path as disclosed (Yee's col. 14, lines 54-67 and col. 17, lines 1-22), into the system of Meyer for the purpose of integration of the system and publishing interfaces that are provided by the target application environment (Yee's col. 15, lines 1-55), thereby, satisfying the need for applications to communicate with each other as the desired of interest of the users (Yee's col. 6, lines 45-55).

Claim 2 is essentially the same as claim 1 except that it is directed to a computer readable medium rather than a method, and is rejected for the same reason as applied to the claim 1 hereinabove.

With respect to claim 3, Meyer teaches wherein the class path comprises multiple elements, each element having multiple classes stored therein (col. 13, lines 5-10).

With respect to claim 5, Meyer teaches a method of locating classes in a multi element class path (the package name or class library stored in a searchable/retrievable class path directory and this class path as tree structure including a plurality of node storing each class file: fig. 16, col. 11, lines 50-67, col. 23, lines 15-30 and col. 27, lines 8-38), the method comprising:

generating a search request for desired classes within the multi-element class path; forwarding the search result; and independently satisfying the request in association with each element in the class path (using the package name or class files to create a full path files in the class path and stored it in a cache: col. 11, lines 50-67; also see col. 15, lines 65-67 and col. 16, lines 1-12; searching the class path: col. 23, lines 15-30, col. 27, lines 8-38 and lines 55-67 and col. 28, lines 1-10; and storing the result in the cache: col. 19, lines 8-32).

Meyer teaches a method of searching/locating/retrieving class files in a class path stored in a cache. Also, Meyer teaches using GUI as a interface or a wrapper for retrieving or searching class file in the class path. Meyer does not clearly teach creating a wrapper for selected elements and a level of indirection from application programming

interfaces used by a class locator, the wrapper indirection level providing for different caches to be used for the selected elements.

However, Yee teaches creating an interface as well as wrapper for the system to retrieving/searching the object (fig. 1(b) and col. 14, lines 46-58 and using a native API for interface mechanism of the system: col. 16, lines 54-67 and col. 17, lines 1-22).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Meyer with the teachings of Yee. One having ordinary skill in the art would have found it motivated to utilize the use of wrapper generation for looking/locating the class in the class path as disclosed (Yee's col. 14, lines 54-67 and col. 17, lines 1-22), into the system of Meyer for the purpose of integration of the system and publishing interfaces that are provided by the target application environment (Yee's col. 15, lines 1-55), thereby, satisfying the need for applications to communicate with each other as the desired of interest of the users (Yee's col. 6, lines 45-55).

Claim 6 is essentially the same as claim 5 except that it is directed to a computer readable medium rather than a method, and is rejected for the same reason as applied to the claim 5 hereinabove.

With respect to claims 8-9, Meyer teaches a method of locating classes as discussed in claim 5.

Meyer teaches a method of searching/locating/retrieving class files in a class path stored in a cache. Also, Meyer teaches using GUI as a interface or a wrapper for

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retrieving or searching class file in the class path. Meyer does not clearly teach Java classes and Java package manager.

However, Yee teaches Java packages and Java classes (col. 28, lines 45-67 and col. 29, lines 1-15).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Meyer with the teachings of Yee. One having ordinary skill in the art would have found it motivated to utilize the use of wrapper generation for looking/locating the class in the class path as disclosed (Yee's col. 14, lines 54-67 and col. 17, lines 1-22), into the system of Meyer for the purpose of integration of the system and publishing interfaces that are provided by the target application environment (Yee's col. 15, lines 1-55), thereby, satisfying the need for applications to communicate with each other as the desired of interest of the users (Yee's col. 6, lines 45-55).

With respect to claim 10, Meyer teaches a method of creating caches for selected elements of a class path (the package name or class library stored in a searchable/retrievable class path directory and this class path as tree structure including a plurality of node storing each class file: fig. 16, col. 11, lines 50-67, col. 23, lines 15-30 and col. 27, lines 8-38), the method comprising:

parsing the class path into names of elements; determining which elements are viable for caching and initiating creation of at least two caches for the selected elements (col. 9, lines 5-18 and col. 10, lines 1-5; using the package name or class files to create a full path files in the class path and stored it in a cache: col. 11, lines 50-67; also see

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col. 15, lines 65-67 and col. 16, lines 1-12; searching the class path: col. 23, lines 15-30, col. 27, lines 8-38 and lines 55-67 and col. 28, lines 1-10; and storing the result in the cache: col. 19, lines 8-32).

Meyer teaches a method of searching/locating/retrieving class files in a class path stored in a cache. Also, Meyer teaches using GUI as a interface or a wrapper for retrieving or searching class file in the class path. Meyer does not clearly teach creating a wrapper for selected elements and a level of indirection from application programming interfaces used by a class locator, the wrapper indirection level providing for different caches to be used for the selected elements.

However, Yee teaches creating an interface as well as wrapper for the system to retrieving/searching the object (fig. 1(b) and col. 14, lines 46-58 and using a native API for interface mechanism of the system: col. 16, lines 54-67 and col. 17, lines 1-22).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Meyer with the teachings of Yee. One having ordinary skill in the art would have found it motivated to utilize the use of wrapper generation for looking/locating the class in the class path as disclosed (Yee's col. 14, lines 54-67 and col. 17, lines 1-22), into the system of Meyer for the purpose of integration of the system and publishing interfaces that are provided by the target application environment (Yee's col. 15, lines 1-55), thereby, satisfying the need for applications to communicate with each other as the desired of interest of the users (Yee's col. 6, lines 45-55).

With respect to claims 11-14, Meyer wherein the viability of an element for caching is dependent on the ease of tracking which elements have had changes in them; wherein the viability of an element for caching is determined based on it being a predetermined type; checking a registry to see if the element already has a cache associated with it; and determining if an existing cache is up to date (col. 15, lines 66-67 and col. 16, lines 1-12; col. 19, lines 15-22 and col. 27, lines 8-67 and col. 28, lines 1-22).

With respect to claim 15, Meyer teaches means for receiving requests to search a multi-elements class path for classes; and means for transferring such request through a wrapper ((col. 9, lines 5-18 and col. 10, lines 1-5; using the package name or class files to create a full path files in the class path and stored it in a cache: col. 11, lines 50-67; also see col. 15, lines 65-67 and col. 16, lines 1-12; searching the class path: col. 23, lines 15-30, col. 27, lines 8-38 and lines 55-67 and col. 28, lines 1-10; and storing the result in the cache: col. 19, lines 8-32).

Meyer teaches a method of searching/locating/retrieving class files in a class path stored in a cache. Also, Meyer teaches using GUI as a interface or a wrapper for retrieving or searching class file in the class path. Meyer does not clearly teach creating a wrapper for selected elements and a level of indirection from application programming interfaces used by a class locator, the wrapper indirection level providing for different caches to be used for the selected elements.

However, Yee teaches creating an interface as well as wrapper for the system to retrieving/searching the object (fig. 1(b) and col. 14, lines 46-58 and using a native API for interface mechanism of the system: col. 16, lines 54-67 and col. 17, lines 1-22).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Meyer with the teachings of Yee. One having ordinary skill in the art would have found it motivated to utilize the use of wrapper generation for looking/locating the class in the class path as disclosed (Yee's col. 14, lines 54-67 and col. 17, lines 1-22), into the system of Meyer for the purpose of integration of the system and publishing interfaces that are provided by the target application environment (Yee's col. 15, lines 1-55), thereby, satisfying the need for applications to communicate with each other as the desired of interest of the users (Yee's col. 6, lines 45-55).

With respect to claim 16, Meyer teaches at least one such element specific search method comprising a cache associated with such element (col. 27, lines 8-55).

With respect to claim 17, Meyer teaches means for parsing the multi-elements class path into names of elements; means for determining whether each element is a variable cache candidate and for creating a cache for such variable candidates and means for creating indirection wrappers (col. 9, lines 5-18 and col. 10, lines 1-5; using the package name or class files to create a full path files in the class path and stored it in a cache: col. 11, lines 50-67; also see col. 15, lines 65-67 and col. 16, lines 1-12; searching the class path: col. 23, lines 15-30, col. 27, lines 8-38 and lines 55-67 and col. 28, lines 1-10; and storing the result in the cache: col. 19, lines 8-32).

Meyer teaches a method of searching/locating/retrieving class files in a class path stored in a cache. Also, Meyer teaches using GUI as a interface or a wrapper for retrieving or searching class file in the class path. Meyer does not clearly teach creating a wrapper for selected elements and a level of indirection from application programming interfaces used by a class locator, the wrapper indirection level providing for different caches to be used for the selected elements.

However, Yee teaches creating an interface as well as wrapper for the system to retrieving/searching the object (fig. 1(b) and col. 14, lines 46-58 and using a native API for interface mechanism of the system: col. 16, lines 54-67 and col. 17, lines 1-22).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Meyer with the teachings of Yee. One having ordinary skill in the art would have found it motivated to utilize the use of wrapper generation for looking/locating the class in the class path as disclosed (Yee's col. 14, lines 54-67 and col. 17, lines 1-22), into the system of Meyer for the purpose of integration of the system and publishing interfaces that are provided by the target application environment (Yee's col. 15, lines 1-55), thereby, satisfying the need for applications to communicate with each other as the desired of interest of the users (Yee's col. 6, lines 45-55).

With respect to claim 18, Meyer teaches the cache for each viable candidate comprises a name of class (col. 27, lines 8-67 and col. 28, lines 1-25).

With respect to claim 21, Meyer teaches wherein the viability of an element for caching is dependent on the ease of tracking which elements have had changes in them (col. 27, lines 55-67 and col. 28, lines 1-25).

With respect to claim 22, Meyer teaches a class path manager that receives requests for identification or enumeration of classes of classes in the class path; a cache for a cache viable element of the class path; a wrapper for such cache viable element that receives such request from the class path manager (col. 9, lines 5-18 and col. 10, lines 1-5; using the package name or class files to create a full path files in the class path and stored it in a cache: col. 11, lines 50-67; also see col. 15, lines 65-67 and col. 16, lines 1-12; searching the class path: col. 23, lines 15-30, col. 27, lines 8-38 and lines 55-67 and col. 28, lines 1-10; and storing the result in the cache: col. 19, lines 8-32).

Meyer teaches a method of searching/locating/retrieving class files in a class path stored in a cache. Also, Meyer teaches using GUI as a interface or a wrapper for retrieving or searching class file in the class path. Meyer does not clearly teach creating a wrapper for selected elements and a level of indirection from application programming interfaces used by a class locator, the wrapper indirection level providing for different caches to be used for the selected elements.

However, Yee teaches creating an interface as well as wrapper for the system to retrieving/searching the object (fig. 1(b) and col. 14, lines 46-58 and using a native API for interface mechanism of the system: col. 16, lines 54-67 and col. 17, lines 1-22).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Meyer with the teachings of Yee. One having ordinary skill in the art would have found it motivated to utilize the use of wrapper generation for looking/locating the class in the class path as disclosed (Yee's col. 14, lines 54-67 and col. 17, lines 1-22), into the system of Meyer for the purpose of integration of the system and publishing interfaces that are provided by the target application environment (Yee's col. 15, lines 1-55), thereby, satisfying the need for applications to communicate with each other as the desired of interest of the users (Yee's col. 6, lines 45-55).

Claim 23 is essentially the same as claim 5 except that it is directed to a computer readable medium rather than a method, and is rejected for the same reason as applied to the claim 5 hereinabove.

5. Claims 4, 7, 19-20 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patent No.: US 6,243,856 B1 issued to Meyer et al. (hereinafter Meyer) in view of Patent No.: US 6,738,975 B1 issued to Yee et al. (hereinafter Yee), and further in view of Patent No.: US 6,654,954 issued to Hicks.

With respect to claim 4, Meyer in view of Yee discloses a method of locating classes in a class path as discussed in claim 1.

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Meyer and Yee disclose substantially the invention as claimed.

Meyer and Yee do not teach a zip file.

However, Hicks teaches a zip file (col. 8, lines 6-10).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Meyer in view of Yee with the teachings of Hicks by incorporating the use of zip file as one of elements in the class path. The motivation being to have a significant need for a manner of improving performance, thereby, optimizing retrieval and execution of executable file stored in the class path (Hicks' col. 1, lines 10-12 and col. 3, lines 1-5).

With respect to claim 7, Meyer in view of Yee discloses a method of locating classes in a multi-element class path as discussed in claim 5.

Meyer and Yee disclose substantially the invention as claimed.

Meyer and Yee do not teach a zip file.

However, Hicks teaches a zip file (col. 8, lines 6-10).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Meyer in view of Yee with the teachings of Hicks by incorporating the use of zip file as one of elements in the class path. The motivation being to have a significant need for a manner of improving performance, thereby, optimizing retrieval and execution of executable file stored in the class path (Hicks' col. 1, lines 10-12 and col. 3, lines 1-5).

With respect to claim 19, Meyer in view of Yee discloses a class path manager for a multi-element class path as discussed in claim 17. And Yee teaches Java packages and Java classes (col. 28, lines 45-67 and col. 29, lines 1-15).

Meyer and Yee disclose substantially the invention as claimed.

Meyer and Yee do not teach a zip file.

However, Hicks teaches a zip file (col. 8, lines 6-10).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Meyer in view of Yee with the teachings of Hicks by incorporating the use of zip file as one of elements in the class path. The motivation being to have a significant need for a manner of improving performance, thereby, optimizing retrieval and execution of executable file stored in the class path (Hicks' col. 1, lines 10-12 and col. 3, lines 1-5).

With respect to claim 20, Meyer teaches the directories are not caches (col. 28, lines 55-67).

With respect to claim 24, Meyer in view of Yee discloses a computer-readable medium as discussed in claim 23.

Meyer and Yee disclose substantially the invention as claimed.

Meyer and Yee do not teach checking a data/time stamp on the element.

However, Hicks teaches a time stamp with checksum with last modified (col. 6, lines 20-50, col. 7, lines 58-67 and col. 8, lines 1-5).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Meyer in view of Yee with

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the teachings of Hicks by incorporating the use of zip file as one of elements in the class path. The motivation being to have a significant need for a manner of improving performance, thereby, optimizing retrieval and execution of executable file stored in the class path (Hicks' col. 1, lines 10-12 and col. 3, lines 1-5).

Contact Information

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh Ly whose telephone number is (571) 272-4039 or via E-Mail: ANH.LY@USPTO.GOV (**Written Authorization being given by Applicant (MPEP 502.03 [R-2])) or fax to (571) 273-4039 (Examiner's personal Fax No.)**). The examiner can normally be reached on TUESDAY – THURSDAY from 8:30 AM – 3:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene, can be reached on (571) 272-4107 or **Primary Examiner: Jean Corrielus (571) 272-4032**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Any response to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, or faxed to: **Central Fax Center: (571) 273-8300**

ANH LY 
AUG. 25th, 2006


JEAN M. CORRIELUS
PRIMARY EXAMINER